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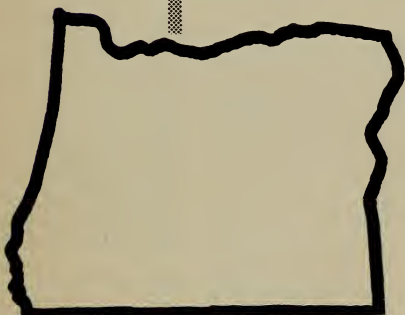
Agricultural Conservation Program

**HANDBOOK
FOR
1964**

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AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE

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FOREST SERVICE

E. H. Marshall, (Division Chief, Division of State and Private Forestry)
Portland, Oregon

OREGON ASCS STATE OFFICE

209 S. W. 5th Ave. - Fifth Floor, Ross Bldg. - Portland, Oregon 97204
Telephone: 226-3361, Ext. 1411

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FOREWORD

Productive soil, adequate water, and well-managed woodland are the very foundation of American agriculture. The Agricultural Conservation Program is the means through which all our people, including farmers, share the costs of conserving these essential national resources. This program increases the rate of application of the research, education, technical, credit, and other services of the Department of Agriculture in actual accomplishment of essential conservation work on the land.

Let all farmers, and particularly those not now carrying out sound conservation practices, use the 1964 Agricultural Conservation Program to increase conservation accomplishments on their lands.



THE 1964 AGRICULTURAL CONSERVATION PROGRAM FOR OREGON

Through the 1964 Agricultural Conservation Program, the Federal Government will share with Oregon farmers and ranchers the cost of carrying out approved soil building and soil and water conservation practices, including related wildlife conservation practices, in accordance with the provisions of this handbook and such modifications thereof as may hereafter be made.

Information with respect to the several practices for which costs will be shared when carried out on a particular farm or ranch, and the exact specifications and rates of cost-sharing for such practices, may be obtained from the county committee for the county in which the farm or ranch is located or from the State committee.

Section I — GENERAL PROGRAM PRINCIPLES

The 1964 National Agricultural Conservation Program has been developed and is to be carried out on the basis of the following general principles:

1. The national program contains broad authorities to help meet the varied conservation problems of the Nation. State and county committees and participating agencies shall design a program for each State and county. Such programs should include any additional limitations and restrictions necessary for the maximum conservation accomplishment in the area. The program should be confined to the conservation practices on which Federal cost-sharing is most needed in order to achieve the maximum conservation benefit in the State or county.

2. The State and county programs should be designed to encourage those conservation practices which provide the most enduring conservation benefits practicably attainable in 1964 on the lands where they are to be applied. Preference shall be given to practices that help to establish permanent vegetative cover.

3. Costs will be shared with a farmer or rancher only on satisfactorily performed conservation practices for which Federal cost-sharing was requested by the farmer or rancher before the conservation work was begun.

4. Costs should be shared only on conservation practices which it is believed farmers or ranchers would not carry out to the needed extent without program assistance. In no event should costs be shared on practices except those which are over and above those farmers or ranchers would be compelled to perform in order to secure a crop.

5. The rates of cost-sharing in a county or State are to be the minimum required to result in substantially increased performance of needed conservation practices within the limits prescribed in the national program.

6. The purpose of the program is to help achieve additional conservation on land now in agricultural production rather than to bring more land into agricultural production. The program is not applicable to the development of new or additional farmland by measures such as drainage, irrigation, and land clearing.

7. If the Federal Government shares the cost of conservation practices, the farmers and ranchers should assume responsibility for the upkeep and maintenance of those practices throughout their lifespans.

Section II — DISTRIBUTION OF FUNDS

The State Committee will allocate the funds available for conservation practices among the counties within the State consistent with the needs for enduring conservation in the counties within the State and will give particular consideration to the furtherance of watershed conservation programs sponsored by local people and organizations.

Section III — STATE AND COUNTY AGRICULTURAL CONSERVATION PROGRAMS

A. Agencies participating in development of State program. The State Agricultural Conservation Program was developed by the State ACP Development Group consisting of the State Committee (including the State Director of Extension), the State Conservationist of the Soil Conservation Service, and the Forest Service official having jurisdiction of farm forestry in the State. Representatives of the Farmers Home Administration, the State Soil Conservation Committee, the State Agricultural Extension Service, and other State agencies participated in the deliberations on the State program.

The program for the State is that recommended by the State ACP Development Group and approved by the Director, Conservation and Land Use Division, ASCS.

B. Agencies to participate in development of county programs. A County Agricultural Conservation Program shall be developed in each county in accordance with the provisions of the State program and such modifications thereof as may be made. The county program shall be developed by the County ACP Development Group consisting of the county committee (including the County Agricultural Extension Agent), the designated representative of the Soil Conservation Service in the county, and the Federal Forest Service representative having jurisdiction of farm forestry in the county. The County ACP Development Group, working with the community committeemen, the governing body of the Soil Conservation District, the farm forestry representatives of the State, the County Supervisor of the Farmers Home Administration, and others with conservation interests, shall develop recommendations for the county program.

The program for the county then shall be formulated by the County ACP Development Group in consultation with the governing body of the Soil Conservation District on the overall conservation problems in the county and, especially, on the work plans of the Soil Conservation District, and of the Federal agencies involved to assure the most effective use of the available technical assistance and funds for cost-sharing. The program as formulated shall be recommended to the State Committee for approval by the State ACP Development Group. The program for the county shall be that recommended by the County ACP Development Group and approved by the State ACP Development Group.

The program recommendation shall be signed by the chairman of the county committee, the Soil Conservation Service technician, and the Forest Service representative where present in the county and shall state that the program was developed in consultation with the governing body

of the Soil Conservation District, if any, or shall state that the governing body was invited to participate in developing the program but did not accept.

C. Selection of practices. Practices to be included in the county program shall be only those practices for which cost-sharing is essential to permit accomplishment of needed conservation work which would not otherwise be carried out.

D. Adaptation of practices. The practices included in the county program must meet all conditions and requirements of the State program. Additional conditions and requirements may be included where necessary for effective use in meeting the conservation problems in the county.

E. Practice specifications. Minimum specifications which practices must meet to be eligible for Federal cost-sharing shall be set forth in the county handbook, or be incorporated therein by specific reference to a standard publication or other written document containing such specifications.

For practices involving the establishment or improvement of vegetative cover, the specifications shall include, where appropriate, liming, fertilization, and seeding rates, eligible seeds and mixtures, seeding dates, requirements for cultural operations, and other steps essential to the successful establishment or improvement of the vegetative cover. The most recent inter-agency recommendations are to be used as a guide in setting up these specifications. Eligible seeds and mixtures shall include a legume or legumes where recommended for inclusion by the State Experiment Station or the State Extension Service. For mechanical or construction type practices, the specifications shall include, where appropriate, the types and sizes of material, installation or construction requirements, and other steps essential to the proper functioning of the structure. For other practices, the specifications shall include those steps essential to the successful performance of the practice.

Practice specifications shall provide minimum performance requirements which will qualify the practice for cost-sharing and, where applicable, may also provide maximum limits of performance which will be eligible for cost-sharing. The minimum performance requirements established for a practice shall represent those levels of performance which are necessary to assure a satisfactory practice. The maximum limits of performance for cost-sharing established for a practice shall represent those levels of performance which are needed in order for the practice to be most effective in meeting the conservation problem and which are not in excess of levels for which cost-sharing can be justified.

F. Liming materials and commercial fertilizers. Cost-sharing for liming materials will be based upon the total neutralizing power expressed in terms of "available calcium carbonate equivalent." The available calcium carbonate equivalent will be calculated for each liming material in accordance with a formula developed in consultation with the Oregon State University involving the factors of purity (calcium carbonate equivalent) and fineness.

Cost-sharing for liming will be approved only for liming materials registered as such with the State Department of Agriculture.

For practices which authorize Federal cost-sharing for applications of liming materials, sulphur-bearing materials, or potash, the minimum application, and maximum application of available calcium carbonate equivalent, sulphur, or K_2O where applicable, on which cost-sharing is authorized shall, in each case, be determined on the basis of a current soil test made by the Oregon State University Soil Testing Laboratory as interpreted by the County Extension Agent.

For those practices which authorize Federal cost-sharing for applications of superphosphate or nitrogen, the minimum application, and maximum application where applicable, on which cost-sharing is authorized shall be determined for the farm upon the basis of the recommendations of the Experiment Station for the establishment of vegetative cover for the locality or, upon the basis of such recommendation, it is permissible to establish minimum and maximum rates of application of superphosphate and nitrogen per acre for a county or part of a county rather than with respect to a single farm. Where the county handbook requires a specific minimum application of P_2O_5 , such requirement may be waived in any individual case where the soil test, as interpreted by the County Extension Agent, shows the presence of adequate P_2O_5 in the soil.

The application of liming materials contained in commercial fertilizers, in phosphate rock, or in basic slag will not qualify for Federal cost-sharing. The application of manure will not qualify for Federal cost-sharing; however, manure may be used, where applicable, to meet all or a part of the fertilizer requirement for a practice.

G. Responsibility for technical phases of practices. The Soil Conservation Service is responsible for the technical phases of practices A-5, A-8, B-7, C-1, C-5, C-6, C-7, C-8, C-9, C-10, C-11, C-12, C-13, C-14, C-15, C-16, G-2, and G-3. This responsibility shall include (1) a finding that the practice is needed and practicable on the farm, and with respect to drainage practices, a finding as to whether any land proposed for drainage is Wetland Type 3, 4, or 5 as described in U. S. Department of the Interior, Fish and Wildlife Service Circular 39, "Wetlands of the United States," published in 1956, (2) necessary site selection, other preliminary work, and layout work of the practice, (3) necessary supervision of the installation, and (4) certification of performance for all requirements of the practice except those for which a certification by the farmer or rancher is to be accepted in accordance with instructions issued by the Deputy Administrator. For practice C-17, the Soil Conservation Service is responsible for (1) determining that the practice is needed and practicable on the farm, and (2) preparing specifications for the practice. For practices B-6, B-8, and C-2, the Soil Conservation Service is responsible for determining that the practice is needed and practicable on the farm. The State Conservationist of the Soil Conservation Service may utilize assistance from private, State, or Federal agencies in carrying out these assigned responsibilities. The Soil Conservation Service will utilize to the full extent available resources of the State Forester in carrying out its assigned responsibilities for practice A-8.

The Forest Service is responsible for the technical phases of practices A-7 and B-10. This responsibility shall include (1) providing necessary specialized technical assistance, (2) development of specifications for forestry practices, (3) a finding that the practice is needed and practicable

on the farm, and (4) certification of performance. The Forest Service may utilize assistance from private, State, or Federal agencies in carrying out these assigned responsibilities, but services of the State Forester will be utilized to the full extent such services are available.

H. Rates of cost-sharing. The maximum Federal cost-share for each practice shall be the percentage of the average cost of performing the practice considered necessary to obtain the needed performance of the practice, but which will be such that the farmer or rancher will make a substantial contribution to the cost of performing the practice. Rates of cost-sharing shall not be in excess of 50 percent of the average cost of performing the practices, except that:

- (1) For practices which have long lasting conservation benefits and from which the returns to the farmer or rancher are remote, rates of cost-sharing in excess of 50 percent of the average cost of performing the practices may be established by the State ACP Development Group for practices for which such authority is specifically delegated to it by the Secretary in section 3-H of the National Bulletin, and for other such practices with the approval of the Deputy Administrator.
- (2) Upon justification by the State and County ACP Development Groups, the Deputy Administrator may approve a rate of cost-sharing for one or more additional practices in a county in excess of 50 percent of the average cost of performing the practice, but only if the increased rate of cost-sharing is essential to introduce a greatly needed new conservation practice into the county or to bring about a greatly needed increase in the extent to which the practice otherwise would be carried out.

For the purpose of establishing rates of cost-sharing, the average cost of performing a practice may be the average cost for the State, a county, a part of a county, or a farm or ranch.

The rates of cost-sharing to be used in computing cost-shares for practices, or components of practices carried out with conservation materials and services shall be the rates of cost-sharing in effect at the time the conservation materials and services are furnished, except that if CMS furnished under a past program is transferred for use in a later program year, the rate of cost-sharing in effect under the later program at the time the approval is issued shall be used in computing cost-shares and the deduction (or charge) for the CMS.

The rates of cost-sharing for practices included in the county program may be lower than the rates approved for general use in the State.

I. Items of cost on which rates of cost-sharing may be based.

Except as otherwise provided by the wording of the practices contained in section X or elsewhere in the 1964 program, the cost of any direct and significant factor in the performance of a practice may be considered in establishing the rate of cost-sharing for the practice.

J. County handbooks, instructions, and forms. The State Committee, under the general supervision of the Deputy Administrator, is authorized to prepare and issue county handbooks, instructions, and forms

required in implementing the administration of the 1964 program, except that a form designed to obtain information from farmers or ranchers must be approved by the Deputy Administrator. Persons wishing to participate in the program should obtain from the State Committee or county committee all information needed in order to comply with all provisions of the program.

Section IV — APPROVAL OF CONSERVATION PRACTICES ON INDIVIDUAL FARMS OR RANCHES

A. Opportunity for requesting cost-sharing. Each farmer or rancher shall be given an opportunity to request that the Federal Government share in the cost of those practices on which he considers he needs such assistance in order to permit their performance on his farm or ranch. The county committee, taking into consideration the farmer's or rancher's request and any conservation plan developed by the farmer or rancher with the assistance of any State or Federal Agency, shall direct the available funds for cost-sharing to those farms and ranches and to those practices where cost-sharing is considered most essential to the accomplishment of the basic conservation objective of the Department—the use of each acre of agricultural land within its capabilities and the treatment of each acre in accordance with its needs for protection and improvement.

B. Prior request for cost-sharing. Costs will be shared only for those practices, or components of practices, for which cost-sharing is requested by the farmer or rancher before performance thereof is started, except that for practices F-3 and F-4, the Deputy Administrator may authorize the acceptance of requests for cost-sharing filed within a reasonable period after performance thereof is started. For practices for which (1) approval was given under the 1963 Agricultural Conservation Program, (2) performance was started but not completed during the 1963 program year, and (3) the county committee believes the extension of the approval to the 1964 program is justified under the 1964 program regulations and provisions, the filing of the request for cost-sharing under the 1963 program may be regarded as meeting the requirement of the 1964 program that a request for cost-sharing be filed before performance of the practice is started.

C. Method and extent of approval. The county committee, in accordance with a method approved by the State Committee, will determine the extent to which Federal funds will be made available to share the cost of each approved practice on each farm or ranch, taking into consideration the county allocation, the conservation problems in the county and of the individual farm or ranch, and the conservation work for which requested Federal cost-sharing is considered by the county committee as most needed in 1964. The method approved shall provide for the issuance of notices of approval showing for each approved practice the number of units of the practice for which the Federal Government will share in the cost and the amount of the Federal cost-share for the performance of that number of units of the practice. To the extent practicable, notices of approved practices shall be issued before performance of the practices is started. No practice may be approved for cost-sharing except as authorized

by the national, State, or county program, or in accordance with procedures incorporated therein. Available funds for cost-sharing shall not be allocated on a farm or acreage-quota basis, but shall be directed to the accomplishment of the most enduring conservation benefits attainable.

D. Establishment or installation of practices. Federal cost-sharing may be authorized under the 1964 program only for the establishment or installation of the practices contained in section X. The establishment or installation of a practice, for the purposes of the 1964 program, shall be deemed to include the replacement, enlargement, or restoration of practices for which cost-sharing has been allowed under the 1954 or a subsequent program if the practice has served for its normal lifespan, or if all of the following conditions exist:

- (1) Replacement, enlargement, or restoration of the practice is needed to meet the conservation problem.
- (2) The failure of the original practice was not due to the lack of proper maintenance by the current operator.
- (3) The county committee believes that the replacement, enlargement, or restoration of the practice merits consideration under the program to an equal extent with other practices for which cost-sharing has not been allowed under a previous program.

E. Repair, upkeep, and maintenance of practices. Federal cost-sharing is not authorized for repairs or for normal upkeep or maintenance of any practice.

F. Pooling agreements. Farmers or ranchers in any local area may agree in writing, with the approval of the county committee, to perform designated amounts of practices which, by conserving or improving the agricultural resources of the community, will solve a mutual conservation problem on the farms of the participants. For purposes of eligibility for cost-sharing, practices carried out under such an approved written agreement will be regarded as having been carried out on the farms or ranches of the persons who performed the practices.

Section V — PRACTICE COMPLETION REQUIREMENTS

A. Completion of practices. Federal cost-sharing for the practices contained in section X is conditioned upon the performance of the practices in accordance with all applicable specifications and program provisions. Except as provided in sections V-B, V-C, and V-D, practices must be completed during the program year in order to be eligible for cost-sharing.

B. Practices substantially completed during program year. Approved practices may be deemed, for purposes of payment of cost-shares, to have been carried out during the 1964 program year, if the county committee determines that they are substantially completed by the end of the program year. However, no cost-shares for such practices shall be paid until they have been completed in accordance with all applicable specifications and program provisions, except as provided in section V-C.

C. Practices requiring more than one program year for completion.

Cost-shares approved under the 1964 program will not be considered as earned until all components of the approved practices are completed in accordance with all applicable specifications and program provisions. Cost-shares for completed components may be paid only after the practice is substantially completed, and only on the condition that the farmer or rancher will complete the remaining components of the practice within the time prescribed by the county committee which will afford the farmer or rancher a fair and reasonable opportunity to complete them, unless prevented from doing so for reasons beyond his control and regardless of whether cost-sharing therefor is offered, or refund the cost-shares paid to him.

D. Practices involving the establishment or improvement of vegetative cover. Costs for practices involving the establishment or improvement of vegetative cover, including trees, may be shared even though a good stand is not established, if the county committee determines, in accordance with standards approved by the State Committee, that the practice was carried out in a manner which would normally result in the establishment of a good stand, and that failure to establish a good stand was due to weather or other conditions beyond the control of the farm or ranch operator. The county committee may require as a condition of cost-sharing in such cases that the area be reseeded or replanted, or that other needed protective measures be carried out. Cost-sharing in such cases may be approved also for repeat applications of measures previously carried out or for additional eligible measures. Cost-sharing for such measures shall be approved to the extent such measures are needed to assure a good stand even though less than that required by the applicable practice wording for initial approvals.

E. Failure to meet minimum requirements. Notwithstanding other provisions of the 1964 program, costs may be shared for performance actually rendered even though the minimum requirements for a practice are not met, if the farmer or rancher establishes to the satisfaction of the county committee and the county representative of any other agency having responsibility for technical phases of the practice (1) that he made a reasonable effort to meet the minimum requirements, and (2) that the practice as performed adequately meets the conservation problem.

Section VI — FEDERAL COST SHARES

A. Conservation materials and services. (1) *Availability.* Part or all of the Federal cost-share for an approved practice may be in the form of conservation materials or services furnished through the program for use in carrying out the practice. Materials or services may not be furnished to persons who are indebted to the Federal Government, as indicated by the debt record maintained in the office of the county committee, except in those cases where the agency to which the debt is owed waives its rights to setoff in order to permit the furnishing of materials and services.

(2) *Cost to farmer or rancher.* The farmer or rancher will be responsible for paying that part of the cost of the material or service which is in excess of the amount to be advanced toward the purchase of the material

or service. The maximum amount which may be advanced toward the purchase of the material or service is the Federal cost-share attributable to the use of the material or service, or, upon request by the farmer or rancher and approval by the county committee, the Federal cost-share for all components of the practice which likely will be completed during the program year, plus any applicable small cost-share increase, but not in excess of the cost of the material or service.

(3) *Responsibility for materials and services.* If the material or service is properly used in carrying out the practice with respect to which it was furnished, recovery of the amount advanced toward the purchase of the material or service will be made from the persons who share in the cost-share payment for the practice, in the proportion in which they share in the cost-share payment. If the material or service is not used for the purpose for which it was furnished, the person to whom it was furnished shall be indebted to the Federal Government for the amount advanced toward the cost of the material or service.

Any person to whom materials are furnished shall be responsible to the Federal Government for any damage to the materials, unless he shows that the damage was caused by circumstances beyond his control. If materials are abandoned or not used during the program year, they may, in accordance with instructions issued by the Deputy Administrator, be transferred to another person or otherwise disposed of at the expense of the person who abandoned or failed to use the material, or be retained by the person for use in a subsequent program year.

B. Practices carried out with aid from ineligible persons. The entire Federal cost-share for a practice carried out with aid from an ineligible person, including a State or Federal agency, shall be credited to the eligible persons who contributed to the cost of carrying out the practice; provided that the cost-share credited to an eligible person shall not exceed his contribution to the cost of carrying out the practice.

C. Division of Federal cost-shares. (1) *Federal cost-shares.* The Federal cost-share for a practice shall be credited to the person who carried out the practice. If more than one person contributed to the carrying out of a practice, the Federal cost-share for the practice shall be divided among such persons in the proportion that the county committee determines they contributed to the carrying out of the practice. In making this determination, the county committee shall take into consideration the value of the labor, equipment, or material contributed by each person toward the carrying out of the practice, and shall assume that each contributed equally unless it is established to the satisfaction of the county committee that their respective contributions thereto were not in equal proportion. Advances toward the cost of materials or services under section VI-A, the furnishing of land, and the furnishing of the right to use water will not be considered as a contribution to the carrying out of any practice.

(2) *Death, incompetency, or disappearance.* In case of death, incompetency, or disappearance of any person, any Federal share of the cost due him shall be paid to his successor, determined in accordance with the provisions of the regulations in ACP-122, as amended.

D. Increase in small Federal cost-shares. For practices other than practice F-4, the Federal cost-share computed for any person with respect

to any farm or ranch shall be increased as follows:

- (1) Any Federal cost-share amounting to \$0.71 or less shall be increased to \$1.
- (2) Any Federal cost-share amounting to more than \$0.71, but less than \$1, shall be increased by 40 percent.
- (3) Any Federal cost-share amounting to \$1 or more shall be increased in accordance with the following schedule:

| Amount of cost-share computed | Increase in cost-share | Amount of cost-share computed | Increase in cost-share | Amount of cost-share computed | Increase in cost-share |
|-------------------------------|------------------------|-------------------------------|------------------------|-------------------------------|------------------------|
| \$1 to \$1.99--- | \$0.40 | \$22 to \$22.99-- | \$8.40 | \$43 to \$43.99-- | \$12.30 |
| \$2 to \$2.99--- | .80 | \$23 to \$23.99-- | 8.60 | \$44 to \$44.99-- | 12.40 |
| \$3 to \$3.99--- | 1.20 | \$24 to \$24.99-- | 8.80 | \$45 to \$45.99-- | 12.50 |
| \$4 to \$4.99--- | 1.60 | \$25 to \$25.99-- | 9.00 | \$46 to \$46.99-- | 12.60 |
| \$5 to \$5.99--- | 2.00 | \$26 to \$26.99-- | 9.20 | \$47 to \$47.99-- | 12.70 |
| \$6 to \$6.99--- | 2.40 | \$27 to \$27.99-- | 9.40 | \$48 to \$48.99-- | 12.80 |
| \$7 to \$7.99--- | 2.80 | \$28 to \$28.99-- | 9.60 | \$49 to \$49.99-- | 12.90 |
| \$8 to \$8.99--- | 3.20 | \$29 to \$29.99-- | 9.80 | \$50 to \$50.99-- | 13.00 |
| \$9 to \$9.99--- | 3.60 | \$30 to \$30.99-- | 10.00 | \$51 to \$51.99-- | 13.10 |
| \$10 to \$10.99-- | 4.00 | \$31 to \$31.99-- | 10.20 | \$52 to \$52.99-- | 13.20 |
| \$11 to \$11.99-- | 4.40 | \$32 to \$32.99-- | 10.40 | \$53 to \$53.99-- | 13.30 |
| \$12 to \$12.99-- | 4.80 | \$33 to \$33.99-- | 10.60 | \$54 to \$54.99-- | 13.40 |
| \$13 to \$13.99-- | 5.20 | \$34 to \$34.99-- | 10.80 | \$55 to \$55.99-- | 13.50 |
| \$14 to \$14.99-- | 5.60 | \$35 to \$35.99-- | 11.00 | \$56 to \$56.99-- | 13.60 |
| \$15 to \$15.99-- | 6.00 | \$36 to \$36.99-- | 11.20 | \$57 to \$57.99-- | 13.70 |
| \$16 to \$16.99-- | 6.40 | \$37 to \$37.99-- | 11.40 | \$58 to \$58.99-- | 13.80 |
| \$17 to \$17.99-- | 6.80 | \$38 to \$38.99-- | 11.60 | \$59 to \$59.99-- | 13.90 |
| \$18 to \$18.99-- | 7.20 | \$39 to \$39.99-- | 11.80 | \$60 to \$185.99-- | 14.00 |
| \$19 to \$19.99-- | 7.60 | \$40 to \$40.99-- | 12.00 | \$186 to \$199.99 | (¹) |
| \$20 to \$20.99-- | 8.00 | \$41 to \$41.99-- | 12.10 | \$200 and over-- | (²) |
| \$21 to \$21.99-- | 8.20 | \$42 to \$42.99-- | 12.20 | | |

¹ Increase to \$200.

² No increase.

E. Maximum Federal cost-share limitation. The provisions of this subsection do not apply to practice F-4. The total of all Federal cost-shares under the 1964 program to any person with respect to farms, ranching units, and turpentine places in the United States, Puerto Rico, and the Virgin Islands for approved practices which are not carried out under pooling agreements shall not exceed the sum of \$2,500, and for all approved practices, including those carried out under pooling agreements, shall not exceed the sum of \$10,000.

With respect to farms and ranching units in Oregon, the total of all Federal cost-shares under the 1964 program to any person, other than the manager of a manager-type pooling agreement, shall not exceed the sum of \$1,500. The total of all Federal cost-shares under the 1964 program to the manager of a manager-type pooling agreement with respect to farms and ranches in Oregon for approved practices which are not carried out under pooling agreements shall not exceed the sum of \$1,500, and for all

approved practices, including those carried out under manager-type pooling agreements, shall not exceed the sum of \$10,000.

All or any part of any Federal cost-share which otherwise would be due any person under the 1964 program may be withheld, or required to be refunded, if he has adopted, or participated in adopting, any scheme or device, including the dissolution, reorganization, revival, formation, or use of any corporation, partnership, estate, trust, or any other means, designed to evade, or which has the effect of evading, the provisions of this subsection.

F. Persons eligible to file application for payment of Federal cost-shares. Any person who, as landlord, tenant, or sharecropper on a farm or ranch, bore a part of the cost of an approved conservation practice is eligible to file an application for payment of the Federal cost-share due him.

G. Time and manner of filing application and required information. It shall be the responsibility of persons participating in the program to submit to the county office forms and information needed to establish the extent of the performance of approved conservation practices and compliance with applicable program provisions. Time limits with regard to the submission of such forms and information shall be established where necessary for efficient administration of the program. Such time limits shall afford a full and fair opportunity to those eligible to file the forms or information within the period prescribed. At least 2 weeks' notice to the public shall be given of any general time limit prescribed. Such notice shall be given by mailing notice to the office of each county committee and making copies available to the press. Other means of notification, including radio announcements and individual notices to persons affected, shall be used to the extent practicable. Notice of time limits which are applicable to individual persons, such as time limits for reporting performance of approved practices, shall be issued in writing to the persons affected.

Payment of Federal cost-shares will be made only upon application submitted on the prescribed form to the county office on or before December 31, 1965. Any application for payment may be rejected if any form or information required of the applicant is not submitted to the county office within the applicable time limit. Notwithstanding any other provision of this handbook, cash payments amounting to less than \$1 will not be made.

Exceptions to time limits may be made in cases where failure to submit required forms and information within the applicable time limits is due to reasons beyond the control of the farmer or rancher, but no time limit may be extended beyond December 31, 1965.

H. Appeals. Any person may, within 15 days after notice thereof is forwarded to or made available to him, request the county committee or State Committee in writing to reconsider its recommendation or determination in any matter affecting the right to or the amount of his Federal cost-shares with respect to the farm or ranch. If the person is dissatisfied with the decision of the county committee, he may, within 15 days after the decision is forwarded to or made available to him, appeal in writing to the State Committee. If he is dissatisfied with the decision of the State

Committee, he may, within 15 days after its decision is forwarded to or made available to him, request the Deputy Administrator to review the decision of the State Committee. The decision of the Deputy Administrator shall be final. All appeals shall be considered as soon as practicable after they are filed, and prompt written notice of the decision shall be given to the appellant. Written notice of any decision rendered under this subsection by the county or State committee shall also be issued to each other landlord, tenant, or share-cropper on the farm or ranch who may be adversely affected by the decision.

Appeals considered under this subsection shall be decided in accordance with the applicable program provisions on the basis of the facts of the individual case; provided that the Deputy Administrator may allow cost-shares for performance not meeting all program requirements, where not prohibited by statute, if in his judgment such action is needed to permit a proper disposition of the appeal. Such action may be taken only where the farmer or rancher, in reasonable reliance on any instruction or commitment of any member, employee, or representative of a State or county committee, in good faith performed an eligible conservation practice and such performance reasonably accomplished the conservation purpose of the practice. The amount of the cost-share in such cases shall be computed on the actual performance and shall not exceed the amount to which the farmer or rancher would have been entitled if the performance rendered had met all requirements for the practice.

Section VII — GENERAL PROVISIONS RELATING TO FEDERAL COST-SHARING

A. Compliance with regulatory measures. Persons who carry out conservation practices under the 1964 program shall be responsible for obtaining the authorities, rights, easements, or other approvals necessary to the performance and maintenance of the practices in keeping with applicable laws and regulations. The person with whom the cost of the practice is shared shall be responsible to the Federal Government for any losses it may sustain because he infringes on the rights of others or fails to comply with applicable laws or regulations.

B. Maintenance and use of practices. The sharing of costs, by the Federal Government, for the performance of approved conservation practices on any farm or ranch under the 1964 program will be subject to the condition that the person with whom the costs are shared will maintain and use such practices for the conservation purposes for which cost-sharing was authorized throughout their normal lifespans as long as the land on which they are carried out is under his control, unless the State or county committee determines that good farming practice does not require such maintenance and use or that the failure to so maintain and use the practices was due to conditions beyond his control.

C. Practices defeating purposes of programs. If the county committee finds with the concurrence of the State Committee, or if the State Committee finds, that any person has adopted or participated in any prac-

tice during the 1964 program year which tends to defeat the purposes of the 1964 or any previous program, including, but not limited to, failure to maintain, in accordance with good farming practices, practices carried out under a previous program, it may withhold, or require to be refunded, all or any part of the Federal cost-share which otherwise would be due him under the 1964 program.

D. Depriving others of Federal cost-share. If the State Committee finds that any person has employed any scheme or device (including coercion, fraud, or misrepresentation), the effect of which would be or has been to deprive any other person of the Federal cost-share due that person under the program, it may withhold, in whole or in part, from the person participating in or employing such a scheme or device, or require him to refund in whole or in part, the Federal cost-share which otherwise would be due him under the 1964 program.

E. Filing of false claims. If the State Committee finds that any person has knowingly supplied false information, or has knowingly filed a false claim, including a claim for payment of the Federal cost-share under the program for practices not carried out, or for practices carried out in such a manner that they do not meet the required specifications therefor, such person shall not be eligible for any Federal cost-share under the 1964 program and shall refund all amounts that may have been paid to him under the 1964 program. The withholding or refunding of Federal cost-shares will be in addition to and not in substitution of any other penalty or liability which might otherwise be imposed.

F. Misuse of purchase orders. If the State Committee finds that any person has knowingly used a purchase order issued to him for conservation materials or services for a purpose other than that for which it was issued, and that such misuse of the purchase order tends to defeat the purpose for which it was issued, such person shall not be eligible for any Federal cost-share under the 1964 program and shall refund all amounts that may have been paid to him under the 1964 program. The withholding or refunding of Federal cost-shares will be in addition to and not in substitution of any other penalty or liability which might otherwise be imposed.

G. Federal cost-shares not subject to claims. Any Federal cost-shares, or portion thereof, due any person shall be determined and allowed without regard to questions of title under State law; without deduction of claims for advances (except as provided in the following subsection, and except for indebtedness to the United States subject to setoff under orders issued by the Secretary); and without regard to any claim or lien against any crop, or proceeds thereof, in favor of the owner or any other creditor.

H. Assignments. Any person who may be entitled to any Federal cost-share under the 1964 program may assign his right thereto, in whole or in part, as security for cash loaned or advances made for the purpose of financing the making of a crop in 1964, including the carrying out of conservation practices. No assignment will be recognized unless it is made in writing on Form ACP-69 and in accordance with instructions issued by the Deputy Administrator.

Section VIII — DEFINITIONS

For the purposes of the 1964 program:

(a) "Secretary" means the Secretary of Agriculture of the United States or any officer or employee of the Department to whom authority has been delegated, or to whom authority may hereafter be delegated, to act in his stead.

(b) "Deputy Administrator" means the Deputy Administrator, State and County Operations, Agricultural Stabilization and Conservation Service.

(c) "State Committee" means the persons in the State designated by the Secretary as the Agricultural Stabilization and Conservation State Committee under section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended.

(d) "County committee" means the persons elected within a county as the county committee pursuant to regulations governing the selection and functions of Agricultural Stabilization and Conservation county and community committees under section 8(b) of the Soil Conservation and Domestic Allotment Act, as amended.

(e) "Person" means an individual, partnership, association, corporation, estate, or trust, or other business enterprise, or other legal entity (and, wherever applicable, a State, a political subdivision of a State, or any agency thereof) that, as landlord, tenant, or sharecropper, participates in the operation of a farm or ranch.

(f) "Farm" or "ranch" means that area of land considered as a farm under the current definition of farm applicable to marketing quota and acreage allotment programs. Notwithstanding any limitation in this definition concerning the type or use of land, a farm may include or may consist entirely of woodland which is being operated for the production and sale of forest products.

(g) "Cropland" means that land considered as cropland under the current definition of cropland applicable to marketing quota and acreage allotment programs.

(h) "Rangeland" means nonirrigated land, located in arid and semi-arid areas, growing native grasses and forage plants primarily, and used for grazing by domestic livestock.

(i) "Program year" means the period July 1, 1963, through December 31, 1964, during which conservation practices, or components thereof, must be carried out to be eligible for cost-sharing.

Section IX — AUTHORITY, AVAILABILITY OF FUNDS, AND APPLICABILITY

A. Authority. The program contained in this handbook is based upon, and is subject to, the provisions of the 1964 National Agricultural Conservation Program as approved by the Secretary of Agriculture.

B. Availability of funds. The provisions of the 1964 program are necessarily subject to such legislation as the Congress of the United States may hereafter enact; the paying of the Federal cost-shares provided herein is contingent upon such appropriation as the Congress may hereafter provide for such purpose; and the amounts of such Federal cost-shares will necessarily be within the limits finally determined by such appropriation.

The funds provided for the 1964 program will not be available for paying Federal cost-shares for which applications are filed in the county office after December 31, 1965.

C. Applicability. The provisions of the 1964 program contained herein are not applicable to (1) any department or bureau of the United States Government or any corporation wholly owned by the United States; (2) noncropland owned by the United States which was acquired or reserved for conservation purposes, or which is to be retained permanently under Government ownership, including, but not limited to, grazing lands administered by the Forest Service of the U. S. Department of Agriculture or by the Bureau of Land Management (including lands administered under the Taylor Grazing Act) or the Fish and Wildlife Service of the U. S. Department of the Interior, except as indicated in item (7) below; and (3) nonprivate persons for performance on any land owned by the United States or a corporation wholly owned by it.

The program is applicable to (1) privately owned lands; (2) lands owned by a State or political subdivision or agency thereof; (3) lands owned by corporations which are partly owned by the United States, such as production credit associations; (4) lands temporarily owned by the United States or a corporation wholly owned by it, which were not acquired or reserved for conservation purposes, including lands administered by the Farmers Home Administration, the U. S. Department of Defense, or by any other Government agency designated by the Deputy Administrator; (5) any cropland farmed by private persons which is owned by the United States or a corporation wholly owned by it; (6) Indian lands, except that where grazing operations are carried out on Indian lands administered by the Department of the Interior, such lands are within the scope of the program only if covered by a written agreement approved by the Department of the Interior giving the operator an interest in the grazing and forage growing on the land and a right to occupy the land in order to carry out the grazing operations; and (7) noncropland owned by the United States for performance by private persons of conservation practices which directly conserve or benefit nearby or adjoining privately owned lands of such persons who maintain and use such federally owned noncropland under agreement with the Federal agency having jurisdiction thereof.

Section X — CONSERVATION PRACTICES

The specifications and rates of cost-sharing in this handbook are applicable to practices carried out on or after January 1, 1964. The specifications and rates of cost-sharing in the 1963 ACP Handbook for Oregon are applicable to practices carried out under the 1964 program prior to January 1, 1964. F-3 and F-4 practices developed under the 1964 program are applicable for the period July 1, 1963, through December 31, 1964.

CONSERVATION PRACTICES WITH ENDURING BENEFITS — where properly applied and maintained

A. PRACTICES PRIMARILY FOR ESTABLISHMENT OF PERMANENT PROTECTIVE COVER

A-1. Establishment of a permanent cover of biennial or perennial legumes or self-reseeding annuals, or perennial grasses, or a mixture of legumes and perennial grasses, in orchards and vineyards for control of erosion.

MAXIMUM FEDERAL COST-SHARE:

(1) 50 percent of the average cost of seed, not to exceed \$4 per acre.

(2) 50 percent of the average cost of approved liming materials, including delivery and spreading costs.

(3) 50 percent of the average cost, not to exceed 5 cents per pound of available P_2O_5 in the application of phosphate.

(4) 50 percent of the average cost, not to exceed 3 cents per pound of available K_2O in the application of potash fertilizer.

A-2. Establishment of a permanent cover of perennial legumes or perennial grasses, or mixtures of legumes and perennial grasses, or subterranean clover alone, for soil protection or as a needed land-use adjustment. This practice is applicable only to land which should be established in permanent vegetative cover for protection against wind or water erosion, and to cropland which, as a part of a needed land-use adjustment, is being shifted to permanent protective vegetative cover other than as a part of a regular crop rotation. No Federal cost-sharing will be allowed under this practice for clearing land occupied by a merchantable stand of timber or pulpwood, or for clearing land which, if cleared, would be suitable for continued production of cultivated crops.

Federal cost-sharing may not be approved in cases where the primary purpose of the practice is seed production.

Federal cost-sharing may be approved for constructing fences which meet the minimum fencing specifications outlined in practice B-9, but only where fences are necessary to protect the seeded area from grazing and only for the extent necessary to fence that area.

Federal cost-sharing for fencing shall be limited to permanent fences, excluding boundary and road fences.

Cost-sharing may be approved for sprinkler irrigation in connection with the establishment of a stand during the first crop year (1) on land not normally irrigated, (2) on border ridges, or (3) on land which is normally flood irrigated but which is either (a) too steep for flood irrigation until the cover is established because of the erosion hazard, or (b) so porous that sprinkler irrigation is necessary to establish the stand.

MAXIMUM FEDERAL COST-SHARE:

(1) 50 percent of the average cost of seed, not to exceed \$4 per acre.

(2) 50 percent of the average cost of approved liming materials, including delivery and spreading costs.

(3) 50 percent of the average cost, not to exceed 8 cents per pound, of available nitrogen in commercial nitrogen fertilizer. Cost-sharing is

limited to 40 pounds of available nitrogen per acre.

(4) 50 percent of the average cost, not to exceed 5 cents per pound of available P_2O_5 in the application of phosphate.

(5) 50 percent of the average cost, not to exceed 3 cents per pound of available K_2O in the application of potash fertilizer.

(6) 50 percent of the average cost, not to exceed 30 cents per pound of available boron.

(7) 50 percent of the average cost of grading, shaping, or filling, not to exceed \$10 per acre.

(8) 50 percent of the average cost of fencing, not to exceed:

(a) \$1 per rod of barbed-wire fence.

(b) \$1.30 per rod of woven-wire fence.

(9) \$8 per acre for irrigating by sprinkler.

(10) 50 percent of the average cost of site preparation, on logged-off land only, not to exceed \$10 per acre.

A-3. Establishment of additional acreages of perennial or biennial legumes or perennial grasses, or mixtures of legumes and perennial grasses, in crop rotation to retard erosion and to improve soil structure, permeability, or water-holding capacity. This practice is applicable only to land which needs such cover to retard erosion or to improve soil structure, permeability, or water-holding capacity.

Federal cost-sharing will be limited to that acreage which the county committee determines represents a desirable increase over what would be the normal plantings of eligible crops on the farm in 1964 under the normal crop rotation for the farm. In making this determination, consideration should be given to the need for this practice on cropland which the farmer or rancher intends to divert from the production of crops for which allotments are established for the farm for 1964.

Cost-sharing may be approved for sprinkler irrigation in connection with the establishment of a stand during the first crop year on border ridges, or on land which is normally flood irrigated but which is either (1) too steep for flood irrigation until the cover is established because of the erosion hazard, or (2) so porous that sprinkler irrigation is necessary to establish the stand.

MAXIMUM FEDERAL COST-SHARE:

(1) 50 percent of the average cost of seed, not to exceed \$4 per acre.

(2) 50 percent of the average cost of approved liming materials, including delivery and spreading costs.

(3) 50 percent of the average cost, not to exceed 8 cents per pound of available nitrogen in commercial nitrogen fertilizer. Cost-sharing is limited to 40 pounds of available nitrogen per acre.

(4) 50 percent of the average cost, not to exceed 5 cents per pound of available P_2O_5 in the application of phosphate.

(5) 50 percent of the average cost, not to exceed 3 cents per pound of available K_2O in the application of potash fertilizer.

(6) \$8 per acre for irrigating by sprinkler.

A-4. Treatment of farmland to permit the use of legumes and grasses for soil improvement and protection. This practice is applicable

only to farmland devoted in 1964 to legumes (other than vegetable or truck crops) or perennial grasses, and to farmland which the county committee determines will be devoted to such eligible uses in 1965. Federal cost-sharing will be limited to the application of sulphur-bearing materials and liming materials. The minimum application shall be that which is required to establish successfully the grasses or legumes to be grown as based on the recommendation of the Extension Service.

The application of sulphur-bearing materials to alkaline soils to permit the growth of eligible crops is applicable only on land for which irrigation water is available for leaching and for the establishment of the protective vegetative cover. The area to be treated must have adequate drainage. The land must be leveled or adequately prepared to facilitate irrigation and leaching operations.

The need for and rate of application of sulphur-bearing materials will be determined by the Extension Service. These determinations will be based upon analysis by the Oregon State University Soil Testing Laboratory of soil samples taken from the area to be treated. Soil samples shall be taken and the practice carried out in accordance with instructions issued by the County Extension Agent.

Cost-shares paid or advanced for materials applied under this practice will not be considered as earned unless the land is devoted to eligible grasses and legumes at the time the materials are applied or is seeded to eligible grasses and legumes in 1964 or 1965, unless the farmer is prevented from seeding the eligible grasses and legumes within such period because of conditions beyond his control.

MAXIMUM FEDERAL COST-SHARE:

(1) 50 percent of the average cost of approved liming materials, including delivery and spreading costs.

(2) 50 percent of the average cost of sulphur-bearing materials (including delivery and spreading costs), not to exceed 2 cents per pound of available sulphur.

A-5. Establishment of contour stripcropping to protect soil from water erosion. All cultural operations must be performed as nearly as practicable on the contour. Stripcropping must consist of strips of protective cover, such as grain stubble or grass and/or legumes, alternating with strips of fallow, grain, or intertilled crops. On acreage devoted to row crops, the crop stubble or crop residue must be left standing over winter, or a winter cover crop established, or necessary protective tillage operations carried out.

MAXIMUM FEDERAL COST-SHARE:

(1) \$6 per acre in the stripcropping system, where it is established on land now devoted to alternate year summer-fallow.

(2) \$3 per acre in the stripcropping system on other land.

A-6. Establishment of field stripcropping to protect soil from wind erosion. Stripcropping must consist of strips of protective cover, such as grain stubble or grass and/or legumes, alternating with strips of fallow, grain, or intertilled crops. Strips wider than 250 feet in the direction of the prevailing wind or less than 20 feet in width will not qualify. On

acreage devoted to row crops, the crop stubble or crop residue must be left standing over winter, or a winter cover crop established, or necessary protective tillage operations carried out.

MAXIMUM FEDERAL COST-SHARE:

- (1) \$4 per acre in the stripcropping system where it is established on land now devoted to alternate year summer-fallow.
- (2) \$2 per acre in the stripcropping system on other land.

A-7. Establishment of a stand of trees on farmland for purposes other than the prevention of wind or water erosion. No Federal cost-sharing will be allowed for planting orchard trees, or for plantings for ornamental purposes. The planted or seeded area must be protected from fire and destructive grazing.

Federal cost-sharing may be authorized for site preparation on land occupied largely by scrubby brush of no economic value to permit planting of desirable tree species. Necessary erosion preventive measures must be carried out. Technical assistance must be utilized to determine the suitability of the land for site preparation and the measures necessary to prevent erosion.

Federal cost-sharing for fencing shall be limited to permanent fences meeting the minimum specifications stated in practice B-9, where needed to protect the planted area from grazing. Boundary and road fences and the repair, replacement, or maintenance of existing fences are excluded.

Federal cost-sharing may be approved for measures to conserve moisture in the root zone of trees planted under the 1962, 1963, or 1964 ACP, either by cultivating, mulching, or applying chemicals to control competing vegetation, or by any combination of these measures.

Cost-sharing may be approved for sprinkler irrigation, on land not normally irrigated, where needed to establish the stand.

MAXIMUM FEDERAL COST-SHARE:

- (1) 70 percent of the average cost of trees and planting, not to exceed \$30 per 1,000 trees planted, on cropland.
- (2) 50 percent of the average cost of trees and planting, not to exceed \$25 per 1,000 trees planted, on other land.

NOTE: Cost-sharing will be allowed under rates (1) and (2) for not more than 1,000 trees planted per acre.

- (3) 50 percent of the average cost of site preparation, not to exceed \$25 per acre.

- (4) 50 percent of the average cost of fencing, not to exceed:

- (a) \$1 per rod of barbed-wire fence.

- (b) \$1.30 per rod of woven-wire fence.

- (5) 50 percent of the average cost of moisture-conserving measures, not to exceed \$6.40 per acre.

- (6) 50 percent of the average cost of tree seed, rodent repellent for seed treatment, and seeding, not to exceed \$8 per acre.

- (7) \$8 per acre for irrigating by sprinkler.

A-8. Establishment of a stand of trees or shrubs on farmland to prevent wind or water erosion. Prevention of wind or water erosion on farmland is defined as the use of (a) windbreaks, (b) shelterbelts, (c)

gully stabilization, and (d) stabilization of streambanks. The use of this practice should include considerations of enhancement to wildlife habitat.

No Federal cost-sharing will be allowed for planting orchard trees or for plantings for ornamental purposes. Plantings must be protected from fire and grazing. Federal cost-sharing may be authorized for site preparation to permit establishment of desirable species.

Federal cost-sharing for fencing shall be limited to permanent fences meeting the minimum fencing specifications stated in practice B-9, where needed to protect the planted area from grazing. Boundary and road fences and the repair, replacement, or maintenance of existing fences are excluded.

Federal cost-sharing may be approved for measures to conserve moisture in the root zone of trees planted under the 1962, 1963, or 1964 ACP, either by cultivating, mulching, or applying chemicals to control competing vegetation, or by any combination of these measures.

Cost-sharing may be approved for sprinkler irrigation, on land not normally irrigated, where needed to establish the stand.

MAXIMUM FEDERAL COST-SHARE:

(1) 70 percent of the average cost of trees or shrubs and planting, not to exceed \$30 per 1,000 trees or shrubs planted.

(2) 50 percent of the average cost of site preparation, not to exceed \$25 per acre.

(3) 50 percent of the average cost of fencing, not to exceed:

(a) \$1 per rod of barbed-wire fence.

(b) \$1.30 per rod of woven-wire fence.

(4) 50 percent of the average cost of moisture-conserving measures, not to exceed \$6.40 per acre.

(5) \$8 per acre for irrigating by sprinkler.

B. PRACTICES PRIMARILY FOR IMPROVEMENT AND PROTECTION OF ESTABLISHED VEGETATIVE COVER

B-1 Improvement of an established permanent grass or grass-legume cover for soil or watershed protection. This practice is applicable only to native meadowland in eastern Oregon which needs more than normal maintenance measures in order to provide adequate soil or watershed protection. The improvement measures approved for cost-sharing shall be those which will improve the composition and extend materially the life of the vegetative cover.

Federal cost-sharing may be approved only in those cases where some seeding is necessary. Federal cost-sharing may not be approved for normal maintenance measures such as annual topdressings with fertilizer or other mineral elements. This practice is not applicable to land on which the needed improvement measures will constitute complete reestablishment of the vegetative cover.

Except as provided in section IV-D, cost-sharing may not be approved for this practice on land on which this practice or the practice involving the establishment of the eligible vegetative cover was carried out or completed in 1959 or a subsequent year.

MAXIMUM FEDERAL COST-SHARE:

- (1) 50 percent of the average cost of seed, not to exceed \$4 per acre.
- (2) 50 percent of the average cost, not to exceed 8 cents per pound of available nitrogen in commercial nitrogen fertilizer. Cost-sharing is limited to 40 pounds of available nitrogen per acre.
- (3) 50 percent of the average cost, not to exceed 5 cents per pound of available P_2O_5 in the application of phosphate.
- (4) 50 percent of the average cost, not to exceed 3 cents per pound of available K_2O in the application of potash fertilizer.

B-2-a. Improvement of vegetative cover on rangeland by artificial re-seeding for soil protection. Seeding adapted perennial grasses, perennial legumes, or other range forage plants necessary to provide adequate soil protection on rangeland. The practice must be performed in accordance with the principles of sound range management. No Federal cost-sharing will be allowed if it is determined that the area seeded is grazed before the stand is well established, or that any rangeland in the unit is overgrazed.

MAXIMUM FEDERAL COST-SHARE:

- (1) 50 percent of the average cost of grass seed, not to exceed \$3 per acre.
- (2) 70 percent of the average cost of legume seed, not to exceed \$1.50 per acre.
- (3) 50 percent of the average cost of seedbed preparation and seeding, not to exceed \$4 per acre.
- (4) 50 percent of the average cost, not to exceed 8 cents per pound of available nitrogen in commercial nitrogen fertilizer. Cost-sharing is limited to 40 pounds of available nitrogen per acre.
- (5) 50 percent of the average cost, not to exceed 5 cents per pound of available P_2O_5 in the application of phosphate.

B-2-b. Improvement of the stand and vigor of desirable, native forage plants on rangeland by deferred grazing. This practice is applicable only for the improvement of native rangeland and range seedings by deferment of grazing until after seed maturity. To qualify, the following conditions must be met:

- (a) The range is in need of improvement to stabilize the soil, water, and plant resources, and to increase forage production.
- (b) The stand of desirable perennial forage grasses must be sufficient to provide a reasonable rate of recovery resulting from the building of root and shoot vigor, increased protective cover of the soil, and additional seed produced.
- (c) The deferment must be carried out in accordance with a range management plan on file with the county committee. This plan shall provide a deferment program extending for 2 years or more and show how the remaining range in the same elevational and plant developmental zone as the deferred area is to be grazed. The plan will make clear the specific and adequate precautions being taken to prevent over-use of the range units grazed during the growing season. It shall stipulate the desirable perennial forage grasses that will be used for judging (1) the

normal date for termination of deferment, i.e., seed maturity; (2) the improvement of stand and the degree of grazing use (forage utilization) for each different kind of rangeland to be deferred; and (3) the normal date for the beginning of the spring grazing season on the nondeferred units.

(d) Adequate fences and other livestock control practices must be provided to insure deferment as planned. Grazing after seed maturity is permitted.

The County ACP Development Group shall:

- (1) Prepare a list of desirable perennial forage grasses used to judge the adequacy of the stand and the termination of the deferred grazing period for each different kind of rangeland in the county—lands such as fir-forested range, pine-forested range, meadows, grassland, and shrub-grassland.
- (2) Establish the normal date of seed maturity for each desirable perennial forage grass to be used for judging termination of the deferred grazing period.
- (3) Develop the maximum allowable degree of use, expressed in percent by weight of the current year's growth or by a normal stubble height method, for use in judging when allowable levels of grazing use are exceeded. These guides are to be prepared for each desirable perennial forage grass and for such other species as the group determines they are needed.

Rangeland fenced in with other land used for production of cultivated crops will not be eligible under this practice unless the county committee determines that the rangeland in question would normally be grazed during the deferred grazing period.

No cost-sharing may be allowed for deferred grazing on grazing lands on which hay is cut or seed harvested during the calendar year.

No cost-sharing may be allowed for deferred grazing on more than 25 percent of the grazing land (native and range seedings) on the farm or ranch, except that the State ACP Development Group may permit a higher percentage limitation within a county, or a portion of a county, where it is justified on the basis of an area requiring special efforts toward conservation of the soil, water, and plant resources.

No cost-sharing may be allowed for deferred grazing if it is determined that, after grazing in 1964, less than one-half of the current year's growth on any rangeland in the unit remains to provide a ground cover for soil protection and water absorption.

MAXIMUM FEDERAL COST-SHARE:

25 cents per acre deferred.

B-3. Controlling competitive shrubs to permit growth of adequate, desirable, vegetative cover for soil protection on range or pasture land. Federal cost-sharing will be approved for the control of the following shrubs: wild blackberry, poison-oak, salal, snowbrush or sticky laurel, scrub oak, manzanita, greasewood, vine maple, pear thorns, rose briar, Scotch broom, gorse, juniper, sagebrush, rabbitbrush, matchweed, snowberry, madrone, alder, and willows.

The methods of control to be used must be specified in the county

handbook. No Federal cost-sharing will be allowed if it is determined that the area is overgrazed. The practice must be performed in accordance with the principles of sound grassland management. On areas where it is determined that the control of competitive shrubs will reduce the vegetative cover to such an extent as to induce erosion, the practice will not be approved unless followed by seeding or other approved erosion control measures. No Federal cost-sharing will be allowed for any acreage where the control measures are performed through normal farming operations in connection with land preparation for planting or cultivation of crops.

MAXIMUM FEDERAL COST-SHARE:

50 percent of the average cost, not to exceed \$5 per acre.

B-5. Constructing wells for livestock water as a means of protecting vegetative cover or to make practicable the utilization of the land for vegetative cover. The wells must be at locations which will bring about the desired protection of the vegetative cover through proper distribution of livestock, rotation grazing, or better grassland management, or make practicable the utilization of the land for vegetative cover. Adequate storage facilities must be provided. Pumping equipment must be installed, except for artesian wells. No Federal cost-sharing will be allowed for wells constructed primarily for the use of headquarters, or for costs other than for constructing or deepening wells and for water storage facilities.

MAXIMUM FEDERAL COST-SHARE:

(1) 50 percent of the average cost of constructing wells, not to exceed:

(a) \$1 per linear foot of well with bore taking a casing less than 4 inches in diameter.

(b) \$2 per linear foot of well with bore taking a casing of 4 inches but less than 6 inches in diameter.

(c) \$3 per linear foot of well with bore taking a casing of 6 inches or more in diameter.

(2) 50 percent of the average cost of materials and construction in the installation of needed water storage facilities.

B-6. Developing springs or seeps for livestock water as a means of protecting vegetative cover or to make practicable the utilization of the land for vegetative cover. The springs or seeps must be at locations which will bring about the desired protection of the vegetative cover through proper distribution of livestock, rotation grazing, or better grassland management or make practicable the utilization of the land for vegetative cover.

MAXIMUM FEDERAL COST-SHARE:

50 percent of the average cost of the materials and labor used in developing and protecting the source and in constructing needed water storage facilities, not to exceed \$200 for each complete development.

B-7. Constructing or sealing dams, pits, or ponds as a means of protecting vegetative cover or to make practicable the utilization of the land for vegetative cover. The dams, pits, or ponds must be at locations which will bring about the desired protection of the vegetative cover

through proper distribution of livestock, rotation grazing, or better grassland management or to make practicable the utilization of the land for vegetative cover.

Federal cost-sharing for fencing shall be limited to permanent fences meeting the minimum fencing specifications stated in practice B-9, where needed to protect the structure against damage by livestock.

MAXIMUM FEDERAL COST-SHARE:

(1) 50 percent of the average cost of moving earth, not to exceed 16 cents per cubic yard of embankment in place, or earth moved in excavating pits.

NOTE: Embankment in place includes backfill in the core trench and foundation stripping.

(2) 50 percent of the average cost of moving earth in the excavation of collection ditches, not to exceed 15 cents per cubic yard of earth moved.

(3) 50 percent of the average cost of poured concrete in place, not to exceed \$35 per cubic yard.

(4) 50 percent of the average cost of riprap or revetment, including installation, not to exceed \$2 per cubic yard placed.

(5) 50 percent of the average cost of other materials used in the permanent structure, including installation.

(6) 50 percent of the average cost of fencing, not to exceed:

(a) \$1 per rod of barbed-wire fence.

(b) \$1.30 per rod of woven-wire fence.

(7) 50 percent of the average cost of site preparation.

B-8. Installing pipelines and supplemental water storage for livestock water as a means of protecting vegetative cover or to make practicable the utilization of the land for vegetative cover. The installations must provide water to locations which will bring about the desired protection of the vegetative cover through proper distribution of grazing or better grassland management or make practicable the utilization of the land for vegetative cover.

MAXIMUM FEDERAL COST-SHARE:

(1) 50 percent of the average cost of pipe, not to exceed 25 cents per foot.

(2) 50 percent of the average cost of necessary trenching and burying pipe.

(3) 50 percent of the average cost of materials and construction in the installation of supplemental water storage.

B-9. Construction of permanent fences as a means of protecting vegetative cover. Fences between pasture and other land and the repair, replacement, or maintenance of existing fences will not qualify. This practice may be approved only where fencing will contribute to better distribution of livestock and seasonal use of the forage. Posts shall be (1) of standard size and of steel or other durable material that is either naturally decay-resistant or treated by an approved process, (2) firmly set and properly braced at turns and corners, and (3) spaced not more than 20 feet apart. Rock jack, figure four, and stay construction may be used

where it is impracticable to set posts, and spacing shall conform to standards established for the area.

No fence will qualify with less than three strands of barbed wire.

Woven wire will qualify when at least one strand of barbed wire is placed above, and the county committee may require additional strands where necessary.

MAXIMUM FEDERAL COST-SHARE:

50 percent of the average cost, not to exceed:

- (a) \$1 per rod of barbed-wire fence.
- (b) \$1.30 per rod of woven-wire fence.

B-10. Improvement of a stand of forest trees on farmland. Federal cost-sharing may be allowed for any of the following measures: (1) thinning, (2) pruning crop trees (except Christmas trees), (3) release of desirable seedlings and young trees by removing or killing competing and undesirable vegetation, (4) site preparation for natural reseeding, (5) fencing, (6) erosion control measures on logging roads and trails, (7) firebreaks for woodland protection, and (8) ponds for woodland fire protection.

No Federal cost-sharing will be allowed for any area from which merchantable products are harvested in the process of carrying out the practice, unless the county committee determines that the primary purpose of the operation was the improvement of the residual stand of trees. The area must be protected from destructive fire. Where seedlings are present or needed, the area must be protected from destructive grazing. Federal cost-sharing for site preparation will be limited to areas which have a sufficient number of desirable seed trees for natural reseeding, which will not restock unless brush, dense litter, and other material on the forest soil is broken up or removed so that the soil is exposed, and on which the seed trees will be left until the area is restocked. Where necessary, erosion preventive measures must be carried out.

Technical assistance shall be utilized if available; otherwise the practice must be carried out in accordance with approved technical forestry standards. Federal cost-sharing for pruning is limited to a maximum of 120 trees per acre. Federal cost-sharing for fencing shall be limited to permanent fences needed to protect the area from grazing, meeting the minimum fencing specifications stated in practice B-9, excluding boundary and road fences, and excluding also the repair, replacement, or maintenance of existing fences.

MAXIMUM FEDERAL COST-SHARE:

(1) 50 percent of the average cost of thinning, not to exceed \$25 per acre.

(2) 50 percent of the average cost of pruning crop trees (except Christmas trees), not to exceed:

(a) \$10 per acre where the height of pruning is from 8 to 12 feet.

(b) \$20 per acre where the height of pruning is 18 feet or more.

(3) 50 percent of the average cost of removing or killing competing or undesirable vegetation, not to exceed \$25 per acre.

(4) 50 percent of the average cost of site preparation for natural reseeding, not to exceed \$10 per acre.

- (5) 50 percent of the average cost of fencing, not to exceed:
 - (a) \$1 per rod of barbed-wire fence.
 - (b) \$1.30 per rod of woven-wire fence.
- (6) 50 percent of the average cost of installing erosion control measures on logging roads and trails within the woodland being improved.
- (7) 50 percent of the average cost of constructing firebreaks, not to exceed \$3 per 1,000 linear feet.
- (8) 50 percent of the average cost of constructing ponds, including materials used in the permanent structure.

B-11. Constructing stock trails through brush, rock, or other natural barriers as a means of protecting established vegetative cover. This practice may be approved only where stock trails will contribute to the protection of vegetative cover through proper distribution of grazing or better grassland management. No Federal cost-sharing will be allowed if the grazing land made accessible to livestock by the stock trails is overgrazed.

MAXIMUM FEDERAL COST-SHARE:

50 percent of the average cost.

C. PRACTICES PRIMARILY FOR THE CONSERVATION AND DISPOSAL OF WATER

C-1. Establishment of permanent sod waterways to dispose of excess water without causing erosion. Federal cost-sharing will be allowed for a maximum width of 200 feet; however, the county committee shall require establishment to the minimum width (in excess of 200 feet if necessary) needed to provide effective protection.

Cost-sharing may be approved for sprinkler irrigation, on land not normally irrigated, where needed to establish the stand.

MAXIMUM FEDERAL COST-SHARE:

- (1) 50 percent of the average cost of seed.
- (2) 50 percent of the average cost of seeding.
- (3) 50 percent of the average cost, not to exceed 8 cents per pound of available nitrogen in commercial nitrogen fertilizer.
- (4) 50 percent of the average cost, not to exceed 5 cents per pound of available P_2O_5 in the application of phosphate.
- (5) 50 percent of the average cost, not to exceed 3 cents per pound of available K_2O in the application of potash fertilizer.
- (6) 50 percent of the average cost of seedbed preparation.
- (7) 50 percent of the average cost of grading, shaping, and filling.
- (8) \$8 per acre for irrigating by sprinkler.

NOTE: The Federal cost-share for all components of this practice, except grading, shaping, and filling, shall not exceed \$1 per 1,000 square feet of approved sod waterways established within the maximum 200-foot width.

C-2. Establishment of permanent vegetation as protection against erosion. Federal cost-sharing will be limited to the establishment of permanent vegetation on gullies, dams, dikes, levees, ditchbanks, farm roadsides,

filter strips, field borders, and similar problem areas. Consideration should be given to choice of plants favorable to wildlife. On diversion filter strips or field borders, Federal cost-sharing will be allowed for a maximum width of 200 feet; strips or borders less than 15 feet in width will not qualify for Federal cost-sharing.

Cost-sharing may be approved for sprinkler irrigation, on land not normally irrigated, where needed to establish the stand.

MAXIMUM FEDERAL COST-SHARE:

(1) 50 percent of the average cost of plants, seeds, shrubs, or trees, and 50 percent of the average cost of seeding or planting (excluding seed-bed preparation).

(2) 50 percent of the average cost, not to exceed 8 cents per pound of available nitrogen in commercial nitrogen fertilizer.

(3) 50 percent of the average cost, not to exceed 5 cents per pound of available P_2O_5 in the application of phosphate.

(4) 50 percent of the average cost, not to exceed 3 cents per pound of available K_2O in the application of potash fertilizer.

(5) \$8 per acre for irrigating by sprinkler.

C-5. Constructing diversion terraces, ditches, or dikes to intercept runoff and divert excess water to protected outlets. Necessary protective outlets or waterways must be provided. Federal cost-sharing for outlets and waterways may be authorized under practice C-7 or practice C-1. Costs of construction may include necessary leveling and filling to permit installation of an effective system.

MAXIMUM FEDERAL COST-SHARE:

50 percent of the average cost of moving earth, not to exceed 15 cents per cubic yard of earth excavated.

C-6. Constructing erosion control, detention, or sediment retention dams, pits, or ponds to prevent or heal gullyng or to retard or reduce runoff of water.

MAXIMUM FEDERAL COST-SHARE:

(1) 50 percent of the average cost of moving earth, not to exceed 16 cents per cubic yard of fill in place.

(2) 50 percent of the average cost of wire diversions, and rock or rock-and-brush dams, including installation.

(3) 50 percent of the average cost of poured concrete in place, not to exceed \$35 per cubic yard.

(4) 50 percent of the average cost of riprap or revetment, including installation, not to exceed \$2 per cubic yard placed.

(5) 50 percent of the average cost of other materials used in the permanent structure, including installation.

(6) 50 percent of the average cost of site preparation.

C-7. Constructing channel lining, chutes, drop spillways, pipe drops, drop inlets, or similar structures for the protection of outlets and water channels that dispose of excess water.

MAXIMUM FEDERAL COST-SHARE:

- (1) 50 percent of the average cost of poured concrete in place, not to exceed \$35 per cubic yard.
- (2) 50 percent of the average cost of riprap or revetment, including installation, not to exceed \$2 per cubic yard placed.
- (3) 50 percent of the average cost of other materials used in the permanent structure, including installation.
- (4) 50 percent of the average cost of moving earth, not to exceed 16 cents per cubic yard of fill placed, or earth excavated for ditches or channels.

C-8. Streambank or shore protection, channel clearance, enlargement or realinement, or construction of floodways, levees, or dikes, to prevent erosion or flood damage to farmland. This practice shall not be approved in cases where there is any likelihood that it will create an erosion or flood hazard to other adjacent land, or where its primary purpose is to bring new land under cultivation. This is often a community-type practice. In such cases pooling agreements should be developed (see section IV-F).

MAXIMUM FEDERAL COST-SHARE:

- (1) 50 percent of the cost of the clearing, earthmoving, and protective mechanical and vegetative measures installed.
- (2) 70 percent of the cost of installing angular rock (such as quarried rock) as riprap.

C-9. Constructing permanent open drainage systems to dispose of excess water. Federal cost-sharing may be authorized for clearing the necessary minimum width right-of-way. Federal cost-sharing may be authorized for the spreading of spoil banks where this is necessary for the effective utilization of the drainage system. No Federal cost-sharing will be allowed for ditches, the primary purpose of which is to bring new land into agricultural production. This practice is not applicable to land other than that devoted to the production of cultivated crops or crops normally seeded for hay or pasture in the area during at least 2 of the last 5 years.

No Federal cost-shares are allowable for cleaning a ditch, installing crossing structures, or for other structures primarily for the convenience of the farm operator. In the installation of drainage systems, due consideration shall be given to the maintenance of wildlife habitat.

Cost-sharing or technical assistance shall not be authorized for draining land described as Wetland Type 3, 4, or 5 in U. S. Department of the Interior, Fish and Wildlife Service Circular 39, "Wetlands of the United States," published in 1956.

MAXIMUM FEDERAL COST-SHARE:

- (1) 50 percent of the average cost of excavating earth or gravel, not to exceed 15 cents per cubic yard of earth or gravel excavated.
- (2) 50 percent of the average cost of spreading spoil banks, not to exceed 15 cents per cubic yard of earth moved.
- (3) 50 percent of the average cost of excavating rock, not to exceed \$2 per cubic yard of rock excavated.
- (4) 50 percent of the average cost of poured concrete in place, not to exceed \$35 per cubic yard.

(5) 50 percent of the average cost of materials, other than poured concrete in place, used in the permanent structure.

(6) 50 percent of the average cost of necessary land clearing.

C-10. Installing underground drainage systems to dispose of excess water. No Federal cost-sharing will be allowed for systems, the primary purpose of which is to bring additional land into agricultural production. This practice is not applicable to land other than that devoted to the production of cultivated crops or crops normally seeded for hay or pasture in the area during at least 2 of the last 5 years. In the installation of drainage systems, due consideration shall be given to the maintenance of wildlife habitat.

Tile installed under this practice must conform to ASTM standards, except that clay tile having higher absorption than the ASTM standard is acceptable.

Cost-sharing or technical assistance shall not be authorized for draining land described as Wetland Type 3, 4, or 5 in U. S. Department of the Interior, Fish and Wildlife Service Circular 39, "Wetlands of the United States," published in 1956.

MAXIMUM FEDERAL COST-SHARE:

50 percent of the average cost of material delivered to the farm and 50 percent of the average cost of installation.

NOTE: County handbooks must specify limits of cost-sharing for tile by sizes, up to and including 12 inch diameter. Where, because of unusual conditions, considerable extra work is required such as deep trenching, cradling, or the use of special envelope material, county handbooks may provide special cost-share rates for such work.

C-11. Shaping or land grading to permit effective surface drainage. No Federal cost-sharing will be allowed for any shaping or grading which is performed through farming operations in connection with land preparation for planting or cultivation of crops. No Federal cost-sharing will be allowed for shaping or land grading on land which was not devoted to the production of cultivated crops or crops normally seeded for hay or pasture in the area during at least 2 of the last 5 years.

Cost-sharing or technical assistance shall not be authorized for draining land described as Wetland Type 3, 4, or 5 in U. S. Department of the Interior, Fish and Wildlife Service Circular 39, "Wetlands of the United States," published in 1956.

MAXIMUM FEDERAL COST-SHARE:

50 percent of the average cost of moving earth, not to exceed \$10 per acre.

C-12. Reorganizing irrigation systems to conserve water and prevent erosion. The practice must be carried out in accordance with a reorganization plan approved by the responsible technician. No Federal cost-sharing will be allowed for cleaning a ditch, or for structures installed for crossings, or for other structures primarily for the convenience of the farm operator, or for portable pipe.

No Federal cost-sharing will be allowed for reorganizing an irrigation

system if the primary purpose of the reorganization is to bring additional land under irrigation, or for reorganizing a system which was not in use during at least 2 of the last 5 years.

C-12-a. Construction of permanent ditches, dikes, or laterals.

MAXIMUM FEDERAL COST-SHARE:

(1) 50 percent of the average cost of excavating earth or gravel, not to exceed 15 cents per cubic yard of earth or gravel excavated.

(2) 50 percent of the average cost of excavating rock, not to exceed \$2 per cubic yard of rock excavated.

C-12-b. Construction or installation of siphons, flumes, drops or chutes, weirs, division boxes, turnouts, permanently located pipe, and similar structures. Cost-sharing may not be approved under this practice for mainlines and standpipes for sprinkler irrigation.

MAXIMUM FEDERAL COST-SHARE:

(1) 50 percent of the average cost of poured concrete in place, including necessary excavation and forms construction, not to exceed \$35 per cubic yard of concrete.

(2) 50 percent of the average cost of other materials used in permanent structures.

(3) 50 percent of the average cost of riprap or revetment, including installation, not to exceed \$2 per cubic yard placed.

C-12-c. Installation of permanently located main lines and standpipes for sprinkler irrigation. Cost-sharing may be approved only for conversions from flood systems to sprinkler systems.

MAXIMUM FEDERAL COST-SHARE:

50 percent of the average cost of pipe and fittings used.

C-13. Leveling land for more efficient use of irrigation water and to prevent erosion. No Federal cost-sharing will be allowed for floating or restoration of grade; however, the leveling operation may be completed over a period of more than one program year on a component basis where the size of cuts and fills is such that a heavy leveling operation will be needed following settlement of the original fills. No Federal cost-sharing will be allowed for leveling land if the primary purpose of the leveling is to bring into agricultural production land which was not devoted to the production of cultivated crops or crops normally seeded for hay or pasture in the area, or mountain meadow during at least 2 of the last 5 years. The leveling must be carried out in accordance with a plan approved by the responsible technician.

C-13-a. Leveling land for surface methods of water application.

MAXIMUM FEDERAL COST-SHARE:

(1) 50 percent of the average cost of moving earth in the initial leveling operation, not to exceed \$30 per acre.

(2) 50 percent of the average cost of moving rock, not to exceed \$1.50 per cubic yard.

(3) 50 percent of the average cost of moving earth in the releveling operation, not to exceed \$10 per acre.

C-13-b. Rough leveling to eliminate pockets, sharp breaks, and other irregularities from fields to be irrigated by sprinkler. This type of leveling is a final job—not a preliminary to leveling under practice C-13-a.

MAXIMUM FEDERAL COST-SHARE:

50 percent of the average cost of moving earth, not to exceed \$10 per acre.

C-14. Constructing or lining dams, pits, or ponds for irrigation water. No Federal cost-sharing will be allowed for constructing or lining dams, pits, or ponds, the primary purpose of which is to bring into agricultural production land which was not devoted to the production of cultivated crops or crops normally seeded for hay or pasture in the area during at least 2 of the last 5 years, except where the water will be used for the establishment or improvement of permanent vegetative cover for soil protection.

Federal cost-sharing for fencing shall be limited to permanent fences meeting the minimum fencing specifications stated in practice B-9, where needed to protect the structure against damage by livestock.

MAXIMUM FEDERAL COST-SHARE:

(1) 50 percent of the average cost of moving earth, not to exceed 16 cents per cubic yard of embankment in place, or earth moved in excavating pits.

NOTE: Embankment in place includes backfill in the core trench and foundation stripping.

(2) 50 percent of the average cost of moving earth in the excavation of collection ditches, not to exceed 15 cents per cubic yard of earth moved.

(3) 50 percent of the average cost of poured concrete in place, not to exceed \$35 per cubic yard.

(4) 50 percent of the average cost of riprap or revetment, including installation, not to exceed \$2 per cubic yard placed.

(5) 50 percent of the average cost of other materials used in the permanent structure, including installation.

(6) 50 percent of the average cost of fencing, not to exceed:

(a) \$1 per rod of barbed-wire fence.

(b) \$1.30 per rod of woven-wire fence.

(7) 50 percent of the average cost of site preparation.

C-15. Lining irrigation ditches to prevent erosion and loss of water by seepage. No Federal cost-sharing will be allowed for lining irrigation ditches if the primary purpose is to bring additional land under irrigation, or for lining ditches in a system which was not in use during at least 2 of the last 5 years.

Where turnouts, drops, gates, checks, or other structures are needed in the ditch, such structures shall be installed prior to or at the time the ditch is lined.

MAXIMUM FEDERAL COST-SHARE:

(1) 50 percent of the average cost of concrete used in lining, not to exceed \$15 per cubic yard.

(2) 50 percent of the average cost of materials, other than concrete, used in lining (excluding forms) and temporary retaining dams used in connection with sealants.

- (3) 50 percent of the average cost of installing lining.
- (4) 50 percent of the average cost of poured concrete in place, not to exceed \$35 per cubic yard of concrete, used in permanent structures.
- (5) 50 percent of the average cost of other materials used in permanent structures.

C-16. Constructing spreader ditches or dikes to divert and spread water to prevent erosion, to permit beneficial use of runoff, or to replenish ground water supply.

MAXIMUM FEDERAL COST-SHARE:

50 percent of the average cost of moving earth, not to exceed 15 cents per cubic yard of earth excavated.

C-17. Subsoiling to improve water penetration and retard runoff to control erosion.

MAXIMUM FEDERAL COST-SHARE:

50 percent of the average cost.

CONSERVATION PRACTICES WITH BENEFITS OF LIMITED DURATION — generally requiring periodic repetition

D. PRACTICES PRIMARILY FOR ESTABLISHING TEMPORARY PROTECTIVE VEGETATIVE COVER

D-1. Establishment of winter annual legumes, small grains, annual ryegrass, or annual brome grass in the fall of 1964 for winter protection from erosion. A good stand and growth must be obtained by December 15, 1964, and must be maintained on the land to a date specified in the county handbook.

Pasturing consistent with good management may be permitted, but none of the growth may be harvested for hay or seed, except that the State Committee may authorize the harvesting of the growth for hay or silage in areas where it determines that a serious shortage of hay or silage exists due to adverse weather conditions and the growth harvested is needed for use on farms in the area. Volunteer stands will not qualify for cost-sharing. The quantity of fertilizer, if any, on which costs are shared will be only that quantity needed for successful establishment of the cover crop.

MAXIMUM FEDERAL COST-SHARE:

- (1) 50 percent of the average cost of seed, not to exceed \$3 per acre.
- (2) 50 percent of the average cost, not to exceed 8 cents per pound of available nitrogen in the minimum required application of commercial nitrogen fertilizer or 40 pounds per acre, whichever is less.
- (3) 50 percent of the average cost, not to exceed 5 cents per pound of available P_2O_5 in the minimum required application of phosphate.
- (4) 50 percent of the average cost, not to exceed 3 cents per pound of available K_2O in the minimum required application of potash fertilizer.

D-2. Establishment of spring rye and annual legumes, for summer protection from erosion. A good stand and good growth must be obtained and left on the land or turned under. Pasturing consistent with good management may be permitted, but none of the growth may be harvested for hay or seed, except that the State Committee may authorize the harvesting of the growth for hay or silage in areas where it determines that a serious shortage of hay or silage exists due to adverse weather conditions and the growth harvested is needed for use on farms in the area.

Volunteer stands will not qualify for cost-sharing. The quantity of fertilizer, if any, on which costs are shared shall be only that quantity needed for successful establishment of the cover crop.

MAXIMUM FEDERAL COST-SHARE:

- (1) 50 percent of the average cost of seed, not to exceed \$3 per acre.
- (2) 50 percent of the average cost, not to exceed 8 cents per pound of available nitrogen in the minimum required application of commercial nitrogen fertilizer or 40 pounds per acre, whichever is less.
- (3) 50 percent of the average cost, not to exceed 5 cents per pound of available P_2O_5 in the minimum required application of phosphate.
- (4) 50 percent of the average cost, not to exceed 3 cents per pound of available K_2O in the minimum required application of potash fertilizer.

D-3. Establishment of biennial or perennial legumes or perennial grasses, or mixtures of such legumes with adapted grasses, for green manure and protection from erosion. A good stand and good growth must be obtained. Pasturing consistent with good management may be permitted, but none of the growth may be harvested for hay or seed, except that the State Committee may authorize the harvesting of the growth for hay or silage in areas where it determines that a serious shortage of hay or silage exists due to adverse weather conditions and the growth harvested is needed for use on farms in the area. Volunteer stands will not qualify for cost-sharing. The quantity of fertilizer, if any, on which costs are shared shall be only that quantity needed for successful establishment of the green manure or cover crop.

MAXIMUM FEDERAL COST-SHARE:

- (1) 50 percent of the average cost of seed, not to exceed \$4 per acre.
- (2) 50 percent of the average cost, not to exceed 8 cents per pound of available nitrogen in the minimum required application of commercial nitrogen fertilizer or 40 pounds per acre, whichever is less.
- (3) 50 percent of the average cost, not to exceed 5 cents per pound of available P_2O_5 in the minimum required application of phosphate.
- (4) 50 percent of the average cost, not to exceed 3 cents per pound of available K_2O in the minimum required application of potash fertilizer.

E. PRACTICES PRIMARILY FOR THE TEMPORARY PROTECTION OF SOIL FROM WIND AND WATER EROSION

E-1. Stubble mulching to improve soil permeability and to protect soil from wind and water erosion. Tillage operations must be such as to leave sufficient crop residue on the surface or mixed in the upper part of the soil to provide protection against wind and water erosion.

Cost-sharing may be allowed for stubble-busting, beating, chopping, or otherwise reducing heavy small grain straw where necessary to enable the operation of subsurface tillage implements.

No cost-sharing will be allowed under this practice on any field on which straw has been burned or otherwise removed.

MAXIMUM FEDERAL COST-SHARE:

- (1) 75 cents (\$1 in Wasco County) per acre for stubble mulching.
- (2) \$1.25 (\$2 in Wasco County and \$1.75 in Umatilla County) per acre for a combination of stubble busting, beating, chopping or other acceptable operations; and stubble mulching.

E-2. Establishment of contour farming operations on nonterraced land to protect soil from wind or water erosion. All cultural operations must be performed as nearly as practicable on the contour. On acreage devoted to row crops, the crop stubble or crop residue must be left standing over winter, or a winter cover crop established, or necessary protective tillage operations carried out. This practice is not applicable to any acreage for which Federal cost-sharing is approved under practice A-5.

MAXIMUM FEDERAL COST-SHARE:

50 cents per acre.

CONSERVATION PRACTICES WITH LIMITED AREA APPLICABILITY

F. PRACTICES TO MEET SPECIAL COUNTY CONSERVATION NEEDS

F-1. Special conservation practices. Consistent with the principles set forth in section I, the county committee and designated representatives of the Soil Conservation Service and the Forest Service at the county level may recommend, and the State Committee and designated representatives of the Soil Conservation Service and the Forest Service at the State level may approve, for use in a county, practices included in the National Bulletin for which there is need locally on a substantial number of farms but which are not selected for use in the State. Such approval shall be subject to review by the Deputy Administrator, as to compliance with the provisions of the National Bulletin.

MAXIMUM FEDERAL COST-SHARE:

The percentage of the average cost of carrying out the practice as determined under the provisions of section III-H.

F-2. County conservation practices. Consistent with the principles set forth in section I, the Deputy Administrator may approve for use in a county, practices which are not included in the National Bulletin which are needed to meet particular conservation problems in the county. Such approval may be given only upon the recommendation of the State and county committees and designated representatives of the Soil Conservation Service and the Forest Service at both the county and State levels, and upon their finding (1) that the conservation problem exists on a substantial number of farms in the county, (2) that the practices contained in the National Bulletin will not provide adequate treatment of the problem,

(3) that the proposed practice will adequately meet the problem, (4) that the proposed practice would not be performed without Federal cost-sharing, (5) that the proposed practice will provide the most enduring solution to the problem practicably attainable under existing circumstances, (6) that the proposed practice is one on which the offering of financial assistance is fully justified as being in the public interest, and (7) that the proposed practice meets the standards and requirements of comparable practices in the National Bulletin.

MAXIMUM FEDERAL COST-SHARE:

The percentage of the average cost of carrying out the practice as determined under the provisions of section III-H.

F-3. Practices to meet new conservation problems. Consistent with the principles set forth in section I, the Deputy Administrator may approve for use in a county, practices for the treatment of critical conservation problems, primarily those which have arisen subsequent to the initiation of the program in the county. Such approval may be given only upon the recommendation of the State and county committees, and designated representatives of the Soil Conservation Service and the Forest Service at both the county and State levels, and upon their finding (1) that the conservation problem exists on a substantial number of farms in the county, (2) that the practices contained in the National Bulletin will not provide adequate treatment of the problem, (3) that the proposed practice will adequately meet the problem, (4) that the proposed practice would not be performed without Federal cost-sharing, (5) that the offering of Federal cost-sharing for the proposed practice is justified as within the scope of national conservation objectives, (6) that adequate facilities, including technical services, will be available to permit the practice to be carried out effectively, and (7) that treatment of the problem cannot be safely delayed until a subsequent program.

MAXIMUM FEDERAL COST-SHARE:

The percentage of the average cost of carrying out the practice as determined under the provisions of section III-H.

F-4. Emergency conservation measures to restore to productive use land damaged by natural disasters. This practice is applicable only in counties designated by the Secretary as counties in which wind erosion, floods, hurricanes, or other natural disasters have created new conservation problems which (1) if not treated will impair or endanger the land, (2) materially affect the productive capacity of the land, (3) represent damage which is unusual in character and, except for wind erosion, is not of the type which would recur frequently in the same area, and (4) will be so costly to rehabilitate that Federal assistance is required to return the land to productive agricultural use.

Emergency conservation practices may be approved by the Deputy Administrator, upon recommendation by the State and county committees and designated representatives of the Soil Conservation Service and Forest Service at both the State and county levels. Eligible measures shall be specified in the wording of the practice as approved for use in the county. Cost-sharing may be offered under this practice only for replacing a

practice or restoring the land to its normal productive capacity and may not be offered for the solution of conservation problems existing prior to the disaster involved.

The cost-share computed for any person for this practice shall not be increased in accordance with section VI-D, and shall not be included with the cost-shares computed for such person for other practices in applying the maximum Federal cost-share limitation in section VI-E. The total of all Federal cost-shares for this practice to any person with respect to farms and ranches in any one county shall not exceed the sum of \$1,500, except that, with the written prior approval of the State Committee, a higher maximum may be approved in individual cases upon justification by the farmer or rancher on the basis of exceptional need and his inability to otherwise carry out the work.

Costs for this practice will be shared only for eligible measures carried out during the period July 1, 1963 to December 31, 1964, inclusive, and only if cost-sharing is requested by the farm or ranch operator within 30 days after the practice is approved for use in the county or before the date on which performance of the eligible measures is started, whichever is the later. With the approval of the county committee, costs of performing this practice may be shared with farmers or ranchers who carry out eligible measures on their lands or, with the permission of the owners or operators of adjacent or nearby lands, on such adjacent or nearby lands.

MAXIMUM FEDERAL COST-SHARE:

The percentage of the average cost of carrying out the practice as determined under the provisions of section III-H.

PRACTICES WITH BENEFITS PRIMARILY TO WILDLIFE

G. WILDLIFE CONSERVATION PRACTICES WITH SOIL AND WATER CONSERVATION BENEFITS

G-1. Establishment of upland game habitat. This practice is applicable only to farmland which is to be established in trees, shrubs, or other vegetative cover providing food or habitat for wildlife. Cost-sharing for the planting of wheat or barley as food crops will not be approved where such plantings would be in excess of the limitations established under production adjustment programs for the farm. Areas set aside for wildlife under this practice must be protected from fire and from grazing by domestic livestock. Federal cost-sharing for fencing shall be limited to permanent fences meeting the minimum specifications stated in practice B-9, where needed to protect the planted area from grazing by domestic livestock, excluding boundary and road fences.

MAXIMUM FEDERAL COST-SHARE:

(1) 50 percent of the average cost of preparing the planting site, plant materials, and planting.

(2) 50 percent of the average cost, not to exceed 8 cents per pound of available nitrogen in commercial nitrogen fertilizer. Cost-sharing is limited to 40 pounds of available nitrogen per acre.

(3) 50 percent of the average cost, not to exceed 5 cents per pound of available P_2O_5 in the application of phosphate.

(4) 50 percent of the average cost of cultivating and/or mulching in 1964, trees or shrubs planted under the 1962, 1963, or 1964 ACP, not to exceed \$6.40 per acre.

(5) 50 percent of the average cost of fencing, not to exceed:

(a) \$1 per rod of barbed-wire fence.

(b) \$1.30 per rod of woven-wire fence.

G-2. Development or restoration of shallow water or marsh areas for wildlife. This practice is applicable only to farmland which is suitably located and adapted to the development or restoration of shallow water or marsh areas for wildlife. Federal cost-sharing may be allowed for food plantings under this practice, but shall be limited to plantings within the floodable area and plantings on any embankment constructed. Cost-sharing for the planting of wheat or barley as food crops will not be approved where such plantings would be in excess of the limitations established under production adjustment programs for the farm. On any farm, food plantings (with or without cost-sharing) are limited to 5 acres within the areas devoted to practice G-2.

Areas set aside for wildlife under this practice must be protected from fire and from grazing by domestic livestock. Federal cost-sharing for fencing shall be limited to permanent fences meeting the minimum specifications stated in practice B-9, where needed to protect the area from grazing by domestic livestock, excluding boundary and road fences.

MAXIMUM FEDERAL COST-SHARE:

(1) 50 percent of the average cost of moving earth, not to exceed 16 cents per cubic yard of embankment in place or earth moved in excavating pits or ditches.

(2) 50 percent of the average cost of poured concrete in place, not to exceed \$35 per cubic yard.

(3) 50 percent of the average cost of other materials used in the permanent structure, including installation.

(4) 50 percent of the average cost of seedbed preparation, seed, and seeding.

(5) 50 percent of the average cost, not to exceed 8 cents per pound of available nitrogen in commercial nitrogen fertilizer. Cost-sharing is limited to 40 pounds of available nitrogen per acre.

(6) 50 percent of the average cost, not to exceed 5 cents per pound of available P_2O_5 in the application of phosphate.

(7) 50 percent of the average cost of fencing, not to exceed:

(a) \$1 per rod of barbed-wire fence.

(b) \$1.30 per rod of woven-wire fence.

G-3. Constructing dams or ponds for wildlife. This practice is applicable only to permanent ponds or dams for wildlife constructed on farmland. No Federal cost-sharing will be allowed for ponds or dams which will impound water on areas to be drained periodically for the production of crops, or for dams or ponds which are primarily for the commercial production of fish or other wildlife for food. Federal cost-sharing

for fencing shall be limited to permanent fences meeting the minimum fencing specifications stated in practice B-9, where needed to protect the structure against damage by livestock.

MAXIMUM FEDERAL COST-SHARE:

(1) 50 percent of the average cost of moving earth, not to exceed 16 cents per cubic yard of embankment in place or earth moved in excavating pits or collection ditches.

NOTE: Embankment in place includes backfill in the core trench and foundation stripping.

(2) 50 percent of the average cost of poured concrete in place, not to exceed \$35 per cubic yard.

(3) 50 percent of the average cost of riprap or revetment, including installation, not to exceed \$2 per cubic yard placed.

(4) 50 percent of the average cost of other materials used in the permanent development, including installation.

(5) 50 percent of the average cost of site preparation.

(6) 50 percent of the average cost of fencing, not to exceed:

(a) \$1 per rod of barbed-wire fence.

(b) \$1.30 per rod of woven-wire fence.

G-4. Constructing water catchment structures for wildlife. This practice is applicable in low rainfall areas having limited surface runoff of water where there is a need to develop a source of water beneficial to wildlife.

Water catchment structures installed under this practice must be on farmland on which there is established vegetative cover or on which vegetative cover will be established in 1964 that provides soil and water conservation benefits as well as being beneficial to wildlife. Cost-sharing for cover to be established in 1964 may be approved under practice G-1.

This practice must be carried out in accordance with the specifications prepared by the Oregon State Game Commission.

Structures installed under this practice must be protected by fences which will turn all classes of livestock.

MAXIMUM FEDERAL COST-SHARE: 50 percent of the average cost of the water catchment structures and required protective fence, including cost of installation, not to exceed \$50 for each structure.

